

ASSEMBLY BILL

No. 1409

Introduced by Assembly Member Wolk

February 21, 2003

An act to amend Section 35400 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1409, as introduced, Wolk. Vehicles: vehicle length limitation.

Under existing law, with specified exceptions, a 40-foot limitation is imposed on the length of vehicles that may be operated on the highways. Under existing law, when the excess length of a bus operated by a public agency or a passenger stage corporation used in a transit system, other than a schoolbus, is a folding device attached to the front of the bus and designed and used exclusively for transporting bicycles, as specified, the extension caused by the device and bicycle are excluded from the 40-foot limitation. However, these devices may not be used on a bus that exceeds the 40-foot limitation, excluding the device, or on a bus having a device on the rear of the bus for transporting bicycles.

This bill would delete the exception to the exclusion as to buses that otherwise exceed the 40-foot length limitation, excluding the device, or on any bus having a device on the rear of the bus for transporting bicycles.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 35400 of the Vehicle Code is amended to read:

35400. (a) ~~No~~ A vehicle ~~shall~~ may not exceed a length of 40 feet.

(b) This section does not apply to any of the following:

(1) A vehicle used in a combination of vehicles when the excess length is caused by auxiliary parts, equipment, or machinery not used as space to carry any part of the load, except that the combination of vehicles shall not exceed the length provided for combination vehicles.

(2) A vehicle, when the excess length is caused by any parts necessary to comply with the fender and mudguard regulations of this code.

(3) (A) An articulated bus or articulated trolley coach that does not exceed a length of 60 feet.

(B) An articulated bus or articulated trolley coach described in subparagraph (A) may be equipped with a folding device attached to the front of the bus or trolley if the device is designed and used exclusively for transporting bicycles. The device, including any bicycles transported thereon, shall be mounted in a manner that does not materially affect efficiency or visibility of vehicle safety equipment, and shall not extend more than 36 inches from the front body of the bus or trolley coach when fully deployed. The handlebars of a bicycle that is transported on a device described in this subparagraph shall not extend more than 42 inches from the front of the bus.

(4) A semitrailer while being towed by a motortruck or truck tractor, if the distance from the kingpin to the rearmost axle of the semitrailer does not exceed 40 feet for semitrailers having two or more axles, or 38 feet for semitrailers having one axle if the semitrailer does not, exclusive of attachments, extend forward of the rear of the cab of the motortruck or truck tractor.

(5) A bus or house car when the excess length is caused by the projection of a front safety bumper or a rear safety bumper, or both. The safety bumper shall not cause the length of the vehicle to exceed the maximum legal limit by more than one foot in the front and one foot in the rear. For the purposes of this chapter, “safety bumper” means any device that is fitted on an existing bumper or

1 which replaces the bumper and is constructed, treated, or
2 manufactured to absorb energy upon impact.

3 (6) A schoolbus, when the excess length is caused by the
4 projection of a crossing control arm. For the purposes of this
5 chapter, “crossing control arm” means an extendable and
6 retractable device fitted to the front of a schoolbus that is designed
7 to impede movement of pupils exiting the schoolbus directly in
8 front of the schoolbus so that pupils are visible to the driver while
9 they are moving in front of the schoolbus. An operator of a
10 schoolbus shall not extend a crossing control arm while the
11 schoolbus is in motion. Except when activated, a crossing control
12 arm shall not cause the maximum length of the schoolbus to be
13 extended by more than 10 inches, inclusive of any front safety
14 bumper. Use of a crossing control arm by the operator of a
15 schoolbus does not, in and of itself, fulfill his or her responsibility
16 to ensure the safety of students crossing a highway or private road
17 pursuant to Section 22112.

18 (7) A bus, when the excess length is caused by a device, located
19 in front of the front axle, for lifting wheelchairs into the bus. That
20 device shall not cause the length of the bus to be extended by more
21 than 18 inches, inclusive of any front safety bumper.

22 (8) A bus, when the excess length is caused by a device attached
23 to the rear of the bus designed and used exclusively for the
24 transporting of bicycles. This device may be up to 10 feet in length,
25 if the device, along with any other device permitted pursuant to
26 this section, does not cause the total length of the bus, including
27 any device or load, to exceed 50 feet.

28 (9) A bus operated by a public agency or a passenger stage
29 corporation, as defined in Section 226 of the Public Utilities Code,
30 used in transit system service, other than a schoolbus, when the
31 excess length is caused by a folding device attached to the front of
32 the bus which is designed and used exclusively for transporting
33 bicycles. The device, including any bicycles transported thereon,
34 shall be mounted in a manner that does not materially affect
35 efficiency or visibility of vehicle safety equipment, and shall not
36 extend more than 36 inches from the front body of the bus when
37 fully deployed. The handlebars of a bicycle that is transported on
38 a device described in this paragraph shall not extend more than 42
39 inches from the front of the bus. ~~A device described in this~~
40 ~~paragraph may not be used on any bus which, exclusive of the~~

~~device, exceeds 40 feet in length or on any bus having a device attached to the rear of the bus pursuant to paragraph (7).~~

(10) A bus of a length of up to 45 feet when operating on those highways specified in subdivision (a) of Section 35401.5. The Department of Transportation or local authorities, with respect to highways under their respective jurisdictions, shall not deny reasonable access to a bus of a length of up to 45 feet between the highways specified in subdivision (a) of Section 35401.5 and points of loading and unloading for motor carriers of passengers as required by the federal Intermodal Surface Transportation Efficiency Act of 1991 (P.L. 102-240).

(11) (A) A house car of a length of up to 45 feet when operating on the National System of Interstate and Defense Highways or when using those portions of federal aid primary system highways that have been qualified by the United States Secretary of Transportation for that use, or when using routes appropriately identified by the Department of Transportation or local authorities, with respect to highways under their respective jurisdictions.

(B) A house car described in subparagraph (A) may be operated on a highway that provides reasonable access to facilities for purposes limited to fuel, food, and lodging when that access is consistent with the safe operation of the vehicle and when the facility is within one road mile of identified points of ingress and egress to or from highways specified in subparagraph (A) for use by that vehicle.

(C) As used in this paragraph and paragraph (10), “reasonable access” means access substantially similar to that authorized for combinations of vehicles pursuant to subdivision (c) of Section 35401.5.

(D) Any access route established by a local authority pursuant to subdivision (d) of Section 35401.5 is open for access by a house car of a length of up to 45 feet. In addition, local authorities may establish a process whereby access to services by house cars of a length of up to 45 feet may be applied for upon a route not previously established as an access route. The denial of a request for access to services shall be only on the basis of safety and an engineering analysis of the proposed access route. In lieu of processing an access application, local authorities, with respect to highways under their jurisdiction, may provide signing, mapping,

1 or a listing of highways, as necessary, to indicate the use of these
2 specific routes by a house car of a length of up to 45 feet.

3 (c) The Legislature, by increasing the maximum permissible
4 kingpin to rearmost axle distance to 40 feet effective January 1,
5 1987, as provided in paragraph (4) of subdivision (b), does not
6 intend this action to be considered a precedent for any future
7 increases in truck size and length limitations.

8 (d) Any transit bus equipped with a folding device installed on
9 or after January 1, 1999, that is permitted under subparagraph (B)
10 of paragraph (3) of subdivision (b) or under paragraph (9) of
11 subdivision (b) shall be additionally equipped with any of the
12 following:

13 (1) An indicator light that is visible to the driver and is activated
14 whenever the folding device is in an extended position.

15 (2) Any other device or mechanism that provides notice to the
16 driver that the folding device is in an extended position.

17 (3) A mechanism that causes the folding device to retract
18 automatically from an extended position.

19 (e) (1) ~~No~~ A person ~~shall~~ *may not* improperly or unsafely
20 mount a bicycle on a device described in subparagraph (B) of
21 paragraph (3) of subdivision (b), or in paragraph (9) of subdivision
22 (b).

23 (2) Notwithstanding subdivision (a) of Section 23114 or
24 subdivision (a) of Section 24002 or any other provision of law,
25 when a bicycle is improperly or unsafely loaded by a passenger
26 onto a transit bus, the passenger, and not the driver, is liable for any
27 violation of this code that is attributable to the improper or
28 unlawful loading of the bicycle.
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